



## BOARD OF DIRECTORS' REGULAR MEETING

June 6, 2001

A meeting of the Bay Area Air Quality Management District Board of Directors will be held at 9:30 a.m. in the 7<sup>th</sup> floor Board room at the Air District headquarters, 939 Ellis Street, San Francisco, California.

### Questions About an Agenda Item

The name and telephone number of the appropriate staff person to call for additional information or to resolve concerns is listed for each agenda item.

### Meeting Procedures

The public meeting of the Air District Board of Directors begins at 9:30 a.m. The Board of Directors generally will consider items in the order listed on the agenda. However, any item may be considered in any order.

After action on any agenda item not requiring a public hearing, the Board may reconsider or amend the item at any time during the meeting.

# BOARD OF DIRECTORS' REGULAR MEETING

## A G E N D A

WEDNESDAY  
June 6, 2001  
9:30 A.M.

BOARD ROOM  
7TH FLOOR

### CALL TO ORDER

Opening Comments  
Swearing in of New Board Members  
Roll Call  
Pledge of Allegiance

Randy Attaway, Chair

Clerk of the Boards

### PUBLIC COMMENT PERIOD

**Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3**  
*Members of the public are afforded the opportunity to speak on any agenda item. All agendas for regular meetings are posted at District headquarters, 939 Ellis Street, San Francisco, CA, at least 72 hours in advance of a regular meeting. At the beginning of the regular meeting agenda, an opportunity is also provided for the public to speak on any subject within the Board's subject matter jurisdiction. Speakers will be limited to five (5) minutes each.*

### CONSENT CALENDAR (ITEMS 1 – 5 )

Staff/Phone (415) 749-

1. Minutes of May 2, 2001 **M. Romaidis/4965**
2. Communications **E. Garvey/4970**  
*Information only*
3. Report of the Advisory Council **J. Kelly/4962**
4. Report of Monthly Activities **P. Hess/4971**  
*Division activities for the month of April, 2001*
5. Set Public Hearing for June 20, 2001 on proposed amendments to District Regulation 2, Rule 1: General Requirements; Regulation 9, Rule 8: Nitrogen Oxides and Carbon Monoxide from Stationary Internal Combustion Engines; and adoption of a Negative Declaration pursuant to the California Environmental Quality Act **B. deBoisblanc/4704**

*The primary purpose of these amendments is to clarify requirements for emergency standby engines. The proposed revisions will (1) delete the current permit exemption for these engines; (2) clarify the circumstances under which existing emergency standby engines may be used without triggering New Source Review, and (3) clarify the restrictions which apply to existing emergency standby engines converted to temporary discretionary use.*

### COMMITTEE REPORTS AND RECOMMENDATIONS

- 6 Report of the **Legislative Committee** Meeting of May 2, 2001

**CHAIR: B. WAGGENKNECHT** **E. Garvey/4970**

*Action: Adopt Committee recommendation on the following bill positions:*

<i>Bill</i>	<i>Brief Description</i>	<i>Committee Recommendation</i>
<i>AB 1272 (Mountjoy)</i>	<i>Waives air regulations on backup generation during Stage 2 and Stage 3 power alerts</i>	<i>Oppose</i>
<i>SB 100 (Johannessen)</i>	<i>Relaxes Smog Check requirements for specially constructed vehicles</i>	<i>Oppose unless amended</i>
<i>SB 800 (Johannessen)</i>	<i>Waives Smog Check requirements for collector vehicles</i>	<i>Oppose unless amended</i>

7. Report of the **Personnel Committee** Meeting of May 4, 2001 and May 25, 2001

**CHAIR: S. HAGGERTY**

**E. Garvey/4970**

*Action: Approve recommendation to appoint Dennis J. English as the alternate for Alvin J. Greenberg, Ph.D effective immediately and expires March 14, 2002 and Sandra Chapek as the alternate for Antoinette Stein effective immediately and expires March 7, 2004.*

8. Report of the **Budget and Finance Committee** Meeting of May 16, 2001

**CHAIR: G. UILKEMA**

**E. Garvey/4970**

*Action: Approve recommendation on the proposed Fiscal Year 2001/2002 District Budget upon completion of Public Hearings.*

9. Report of the **Executive Committee** Meeting of May 24, 2001

**CHAIR: R. ATTAWAY**

**Garvey/4970**

## **PUBLIC HEARINGS**

10. First Public Hearing to consider the Proposed District Budget for Fiscal Year 2001/2002

**W. Tanaka/5066**

*Pursuant to Health and Safety code Section 40131, Ellen Garvey, Executive Officer/APCO and Wayne Tanaka, Director of Administrative Services, will present the Fiscal year 2001/2002 Budget to the Board of Directors for public review and comment only. Final action will be taken at the conclusion of the second public hearing on this matter scheduled for June 20, 2001.*

11. A) Public Hearing to adopt Proposed Amendments to District Regulation 3: Fees

**B. de Boisblanc/4704**

*The proposed amendments will increase all District fees in Regulation 3 by 4.4 percent effective July 1, 2001. This proposed increase is equal to the increase in the Consumer Price Index (CPI) for the California Bay Area (San Francisco, Oakland, San Jose) for 2000, as reported by the California Department of Industrial Relations, Division of Labor Statistics and Research. These proposed amendments are authorized by Health & Safety Code Sections 42311(a), 42311(g), 42311.5 and 41512.5*

- B) First of Two Public Hearings on Proposed Amendments to Regulation 3: Fees, Schedule L and Schedule Q

**J. Guthrie/4787**

*The proposed amendments add a cost of living increase of 4.4 % to Schedule L: Asbestos Operations and Schedule Q: Aeration of Contaminated Soil and Removal of Underground Storage Tanks. Pursuant to California Health and Safety Code Section 41512.5, there will be a second public hearing on these amendments on July 18, 2001.*

## **PRESENTATION**

12. Spare the Air 2001 Campaign

T. Lee/4905

*Presentation on the elements of the summertime Spare the Air campaign including employer component, media, advertising, partnerships, city and county participation and measurement.*

## **OTHER BUSINESS**

13. Report of the Air Pollution Control Officer

14. Chairperson's Report

## **CLOSED SESSION**

15. Conference with District's Labor Negotiator – Gene Bell  
(Government Code § 54957.6(a))

*Agency Negotiators: Rich Sanchez, Human Resources Officer  
Peter Hess, Deputy APCO*

*Employee Organization: Bay Area Air Quality Management District Employees'  
Association, Inc.*

16. Conference with Legal Counsel – Existing Litigation

*Pursuant to Government Code Section 54956.9(a), a need exists to meet in closed session with legal counsel to consider the following cases: (1) Douglas Hall v. Bay Area AQMD, SFSC Case No. 311038; and (2) Delta Energy Center and Pittsburg Energy Center, U.S. Epa, Office of Civil Rights, Title VI Complaint, ID No. 2R-00-R9.*

## **OPEN SESSION**

17. Board Members' Comments

*Any member of the Board, or its staff, on his or her own initiative or in response to questions posed by the public, may; ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)*

18. Place of Next Meeting - 9:30 a.m., Wednesday, June 20, 2001 939 Ellis Street, San Francisco, California 94109

19. Adjournment

EG:mag